

Calendar No. 81

106TH CONGRESS }
1st Session

SENATE

{ REPORT
106-38

CONGRESSIONAL AWARD ACT AMENDMENTS
OF 1999

R E P O R T

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 380

TO REAUTHORIZE THE CONGRESSIONAL AWARD ACT



MARCH 26, 1999.—Ordered to be printed
Filed under authority of the order of the Senate of March 25, 1999

U.S. GOVERNMENT PRINTING OFFICE

69-010

WASHINGTON : 1999

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Mr. THOMPSON, from the Committee on Governmental Affairs,
submitted the following

REPORT

[To accompany S. 380]

I. PURPOSE AND SUMMARY

The purpose of S. 380, the Congressional Award Act Amendments of 1999, is to reauthorize the Congressional Award Act, change the annual reporting date, and make changes to the membership requirements of the board of directors.

II. BACKGROUND

In 1979, Public Law 96-114, the Congressional Award Act, established the Congressional Award Foundation and its Board of Directors. It was the result of work done by both Republicans and Democrats. The effort was led by Senator Malcolm Wallop (R-WY) and Representative James J. Howard (D-NJ).

The Foundation was set up by Congress during the Carter Administration to administer the Congressional Award to youth who achieve certain goals in various areas such as public service, physical fitness, and expedition. The Congressional Award is a non-competitive award whereby youth, with the guidance of a mentor, establish their own goals and work to achieve them. Upon completion of their goals, the youth are presented with either a bronze, silver, or gold medal based upon their age group. Last year, over 1,000 youth entered into the program and approximately 400 youth finished the program and received awards. The awards are given during ceremonies hosted by the Foundation. At the ceremonies, the

awards are often presented to the youth by Senators and Members of Congress from their respective states.

The Foundation is a non-profit 501(c)(3) organization that receives no federal funds but was created and implemented by Congress. As a non-profit organization, the Foundation raises its own funds to pay for its operating expenses including publications, salaries, supplies, and hosting the awards ceremonies. The Foundation's annual operating budget usually falls between \$350,000 and \$600,000. Further, the youth who are recognized by the Foundation are awarded medals that are produced by the U.S. Mint.

The Majority and Minority leaders of both houses select the board of directors that operate the Foundation. Since its inception, it has always been jointly supported by both Republicans and Democrats. The Congressional Award Act is due to expire October 1, 1999. It was previously reauthorized by Public Law 104-208.

REAUTHORIZATION

S. 380 reauthorizes the Congressional Award Act through October 1, 2004. The following outlines the reauthorization history of the Congressional Award Act:

In 1979, Congress passed H.R. 2196, the Congressional Award Act, which became Public Law 96-114. Public Law 96-114 established the Congressional Award Board to administer the congressional award program for a 6-year period. The Act was then reauthorized for a 3-year period by Public Law 99-161, the Congressional Award Amendments of 1985. Public Law 100-674, the Congressional Award Act Amendments of 1988, reauthorized the Act for a 2-year period contingent upon the Board complying with the established reporting requirements. Public Law 101-525, the Congressional Award Amendments of 1990, extended the Act for an additional 2-year period. Public Law 102-457, the Congressional Award Act Amendments of 1992, extended the Act for a 3-year period. More recently, Public Law 104-208 extended the Act for a 3-year period through October 1, 1999.

ANNUAL REPORTING

S. 380 changes the annual reporting date of the Board from April 1 to June 1. The purpose of making this change is to conform the Act to what is currently done by the Board. Because the Comptroller General's audit report on the Foundation is not complete until May 15 of each year, the Board has had to provide interim reports on April 1 and wait until after the audit report to submit its official annual report. This amendment to the Act simply authorizes the Board to do what is essentially currently practiced.

The original bill which became Public Law 96-114, required the Board to submit a report to Congress by March 1 of each year summarizing the activities of the program. Over the years, the reauthorization laws made amendments to the reporting requirement by expanding what the annual report should include, changing the reporting date, and requiring the Comptroller General to do an annual audit of the program. In 1985, Public Law 99-161 required the Comptroller General to audit and evaluate the Board at least biennially. In 1990, Public Law 101-525 changed the Comptroller General audit to an annual report instead of a biennial report.

Public Law 101-525 also changed the deadline for the Board's annual report to April 1 instead of March 1.

BOARD MEMBERSHIP

Since its inception in 1979, the Board has undergone a number of changes. For example, in 1983, Public Law 98-33 expanded the number of Board members from its original number of 17 members to 33 members. It also set 2-year term limits. Since then, reauthorization bills have periodically changed the number of board members, the term limits, and the board membership requirements.

S. 380 makes two changes to the membership requirements of the board of directors. The first relates to the fact that the Majority Leader of the Senate and the Minority Leader of the House each choose six board members, one of which must be a "member of the Congressional Award Association." The amendment substitutes "recipient of the Congressional Award" for "member of the Congressional Award Association." The purpose of the change is to conform the Act to what has been done in practice. The Congressional Award Association was to be an entity made up of Congressional Award recipients. The Association was never formed. Instead, the members of the board have been picked from Congressional Award recipients instead of members of an Association.

The second change relates to the fact that the Minority Leader of the Senate and the Speaker of the House each choose six board members, one of which must be "a representative of a local Congressional Award Council." The amendment substitutes "a local Congressional Award program volunteer" for "a representative of a local Congressional Award Council." This change was done to allow for more participation at the local level, to give the Minority Leader of the Senate and the Speaker of the House more of a selection, and to allow local communities which do not have a local Congressional Award Council to participate.

III. LEGISLATIVE HISTORY

S. 380 was introduced in the Senate by Senator Larry Craig (R-ID) on February 4, 1999 for himself and Senators Baucus, Frist, Thompson, Brownback, Helms, Enzi, Thomas, Sessions, Allard, Crapo, Ashcroft, Burns, Inhofe, Cochran, Lott, Gregg, Murkowski, Daschle, Dodd, Inouye, Akaka, Lieberman, Levin, Boxer, Kerrey, Johnson, and Edwards. S. 380 was referred to the Committee on Governmental Affairs on that same day.

The Senate Committee on Governmental Affairs considered S. 380 on March 4, 1999. The Committee voted to order the bill reported by voice vote.

IV. SECTION-BY-SECTION ANALYSIS

Section 1, paragraph (a) changes the annual reporting date from April 1 to June 1.

Section 1, paragraph (b) changes the membership requirements of the board by substituting "recipient of the Congressional Award" for "member of the Congressional Award Association" and substitutes "a local Congressional Award program volunteer" for "representative of a local Congressional Award Council."

Section 1, paragraph (c) extends the monitoring by the Comptroller General of the fiscal controls and fund accounting procedures through 2004.

Section 1, paragraph (d) reauthorizes the Act through October 1, 2004.

V. ESTIMATED COST OF LEGISLATION

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 12, 1999.

Hon. FRED D. THOMPSON,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 380, a bill to reauthorize the Congressional Award Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 380—A bill to reauthorize the Congressional Award Act

S. 380 would reauthorize the Congressional Award Act for fiscal years 2000 through 2004. CBO estimates that implementing S. 380 would cost less than \$500,000 a year in appropriated funds. In addition, by requiring the U.S. Mint to design and strike medals at the request of the Congressional Award Board, S. 380 would increase direct spending by less than \$500,000 a year. Consequently, pay-as-you-go procedures would apply to the bill. S. 380 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The Congressional Award Program recognizes excellence in public service and personal development among young people. The program is overseen by the Congressional Award Board, a nonprofit organization that receives no federal funding. Under S. 380, the board could continue to receive in-kind services from the federal government. These services include free office space in the Ford House Office Building, including maintenance and utilities, and the performance of an annual audit by the General Accounting Office. CBO estimates that the board's continued use of such services would cost less than \$500,000 a year in appropriated funds.

The young people recognized by the Congressional Award Program are awarded medals produced by the U.S. Mint. The Mint finances the cost of these medals through its public enterprise fund, a mandatory account. Based on information from the board and the Mint, CBO estimates that reauthorizing the program would increase direct spending by less than \$500,000 in each of fiscal years 2000 through 2004.

The CBO staff contact is John R. Righter. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

VI. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill. The enactment of this legislation will not have a significant regulatory impact.

VII. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic and existing law, in which no change is proposed, is shown in roman):

UNITED STATES CODE

TITLE 2, THE CONGRESS

CHAPTER 19—CONGRESSIONAL AWARD PROGRAM

§ 802. Congressional Award Program

* * * * *

(e) ANNUAL REPORTING REQUIREMENTS. The Board shall prepare and submit an annual report to the Congress before **【April 1】** *June 1* of each year summarizing the activities of the Congressional Award Program during the previous year and making appropriate recommendation. Any minority views and recommendations of members of the Board shall be included in such reports. The annual report shall contain the following items: * * *

* * * * *

§ 803. Membership of the Board

(a) Membership; composition; appointment criteria; derivation of appointment.

(1) The Board shall consist of 25 members, as follows:

(A) Six members appointed by the majority leader of the Senate, 1 of whom shall be a **【member of the Congressional Award Association】** *recipient of the Congressional Award*.

(B) Six Members appointed by the minority leader of the Senate, 1 of whom shall be a **【representation of a local Congressional Award Council】** *local Congressional Award program volunteer*.

(C) Six members appointed by the Speaker of the House of Representatives, 1 of whom shall be a representative of a **【local Congressional Award Council】** *local Congressional Award program volunteer*.

(D) Six members appointed by the minority leader of the House of Representatives, 1 of whom shall be a **【member of the Congressional Award Association】** *recipient of the Congressional Award*.

* * * * *

§ 804. Director of program; status; appointment and term; removal; functions

* * * * *

(c)(1) The Director shall, in consultation with the Board, ensure that appropriate procedures for fiscal control and fund accounting are established for the financial operations of the Congressional Award Program, and that such operations are administered by personnel with expertise in accounting and financial management. Such personnel may be retained under contract. * * *

* * * * *

(2)(A) The Comptroller General of the United States shall determine, for calendar years 1993, 1994, 1995, 1996, 1997, **【and 1998】** *1998, 1999, 2000, 2001, 2002, 2003, and 2004*, whether the Director has substantially complied with paragraph (1). * * *

* * * * *

§ 808. Termination

The Board shall terminate **【October 1, 1999】** *October 1, 2004*.

